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PTO/SB/05 (03-01)
App. Led for use through 10/31/2002. OMB 0651-0032
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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney D	ocket No.	6549/53673	P.T
First Name	ed Inventor	Constant et al.	.s.
Title	Character-Base Messaging Sys	ed, Graphically Expressive Mobile tem	)/0i
Express M	fail Label No.	ET951491921US	الأحا

See MFEP chapter 600 concerning utility patent application contents.   Washington, DC 20231	APPLIC	ATION ELEMENTS		ADE	DRESS TO: 🛭 🖪	ox Patent App	missioner for Patents dication			
Computer Program (Appendix)			tion contents.		V	Vashington, Do	C 20231			
See 37 CFR 1.27.  3. X Specification [Total Pages 30]   Computer Readable Form (CRF)    - Descriptive Bits of the Invention   - Cross Reference to Related Applications   - Statement Regarding Fed spoints of R D   - Or a computer program listing appendix   - Background of the Invention   - Brief Summary of the Invention   - Abstract of the Disclosure   - AccoMPANVING APPLICATION PARTS   - Statements verifying identity of above copies   - Accompany of the Invention   - Statements verifying identity of above copies   - Accompany of the Invention   - Statements verifying identity of above copies   - Accompany of the Invention   - Statements verifying identity of above copies   - Accompany of the Invention   - Statements verifying identity of above copies   - Company of the Invention   - Statements verifying identity of above copies   - Company of the Invention   - Statements verifying identity of above copies   - Company of the Invention   - Statements verifying identity of above copies   - Company of the Invention   - Statements verifying identity of above copies   - Company of the Invention   - Statements verifying identity of above copies   - Company of	1. Fee Transmittal (Submit an original and	Form (e.g., PTO/SB/17) a duplicate for fee processing)		7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)						
Liserland arrangement set forth below)   Descriptive title of the invention   Cross Reference to Related Applications   Statement Regarding Fed sponsored R & D   Reference to Sequence Ising, a table, or Reference to Sequence Ising on:   I.							nce Submission			
- Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Background of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4. X Drawing(s) (35 U.S.C. 113)   Total Sheets   17   11.	3. X Specification (preferred arrangement)	[Total Pages set forth below)	30 1	a.	Computer	Readable For	m (CRF)			
- Statement Regarding Fed sponsored R & D - Reference to sequence listing, a lable, or a computer program listing appendix - Background of the invention - Brief Summary of the firewalton - Claim(s) - Abstract of the Disclosure - Accompanying Application PARTS - Statements verifying identity of above copies  - Accompanying Application PARTS - Statement (IDS) Statement Papers (cover sheet & document(s)) - In Statement (IDS) Statement Papers (cover sheet & document(s)) - In Statement (IDS) Statement (IDS) PTO-1449 - In Statement (IDS)				b.	Specification Sec	uence Listing	on:			
or a computer program lishing appendix Background of the Invention Brief Summary of the Invention Calmin(s) Claim(s) ACCOMPANYING APPLICATION PARTS  9.	<ul> <li>Statement Rega</li> </ul>	rding Fed sponsored R & D			i. CD-R	OM or CD-R (	2 copies); or			
- Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4. X Drawing(s) (35 U.S.C. 113) [Total Sheets	or a computer pr	ogram listing appendix			ii paper					
- Detailed Description - Claim(s) - Abstract of the Disclosure  4.  X Drawing(s) (35 U.S.C. 113)    Total Sheets	- Brief Summary of	of the Invention			. Statemen	ts verifying ide	ntity of above copies			
- Abstract of the Disclosure  - Abstract of the Disclosure  4.	- Brief Description - Detailed Descrip	of the Drawings (if filed) tion			ACCOMPAN'	YING APPLI	CATION PARTS			
4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 17]   10. X 37 CFR 3.7 3(5) Statement (when there is an assignment (but applicable)  5. Oath or Declaration [Total Sheets 3]   12. X Information Disclosure X Copies of IDS Statement (IDS)/PTO-1449 X Citations Statement (IDS)/PTO-1449 X Citations Statement (IDS)/PTO-1449 X Citations Statement (IDS)/PTO-1449 X Citations (Copies of IDS (Citations Statement (IDS)/PTO-1449 X Citations (Citations (IDS)/PTO-1449 X Citations Statement attached deleting inventor(s) (if foreign priority is claimed)  i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) (if foreign priority is claimed)  ii. DELETION OF INVENTOR(S) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. X (Should be specifically itemzied)  17. X Other: Credit Card Payment Form PTO-2038		isclosure		9.	<u> </u>	•	·	V		
5. Oath or Declaration  a. X Newly executed (original or copy)  b. Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed)  i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: Continuation Data Sheet or Continuation information: Examiner For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, now which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  State CA  Zip Code 94114  Country  Mark Jappy Splyar A  Return Receipt Postcard (MPEP 503) (Should be specifically itemized) (Interior priority Document(s) (If toreign priority is claimed) (Should be specifically itemized) (Should be specifically itemized) (Should be specifically itemized) (Interior		100100410		10.	X 37 CFR 3.73(b) (when there is a	) Statement an assignee)				
a. X Newly executed (original or copy)  b. Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed)  i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  7. X Other: Credit Card Payment Form PTO-2038	4. X Drawing(s) (35 U.	S.C. 113) [Total Sheets	<b>17</b> ]	11.	English Trans	lation Docume	ent (if applicable)			
b. Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed)  i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  6. Application Data Sheet. See 37 CFR 1.76  Continuation Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation-in-part (CIP) of prior application ho: For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City San Francisco  State CA  Zip Code 94114  Country  Mark Jappan Spolyar A Registration No. (Attomey/Agent) 42164	5. Oath or Declaration	[Total Sheets	3 ]	12.						
i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Data Sheet under 37 CFR 1.76:  Continuation Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation-in-part (CIP) of prior application No:  Prior application information:  Examiner  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation of divisional application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  Mark J. Spolyar  Law Office of Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City San Francisco  State CA Zip Code 94114  Country  Mark Japp#/Spólyar  Registration No. (Attorney/Agent) 42164	a. X Newly exe	cuted (original or copy)		13.	Preliminary A	mendment				
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR   16.   X   Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.   17.   X   Other: Credit Card Payment Form PTO-2038	b. Copy from (for contin	a prior application (37 CFR uation/divisional with Box 18	1.63 (d)) completed)							
16. X Nonpublication Request under 35 U.S.C. 122 1.63(d)(2) and 1.33(b).  16. X (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  17. X Other: Credit Card Payment Form PTO-2038				15.	15. Certified Copy of Priority Document(s) (if foreign priority is claimed)					
Application Data Sheet. See 37 CFR 1.76  17. X Other: Credit Card Payment Form PTO-2038  18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation-in-part (CIP) of prior application No.:  Prior application information: Examiner Group Art Unit:  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  Wark J. Spolyar  Law Office of Mark J. Spolyar  Law Office of Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City San Francisco State CA Zip Code 94114  Country USA Telephone 415-826-7966 Fax 415-480-1780  Name (Print/type) Mark Jappas/Spólyar A Registration No. (Attomey/Agent) 42164	nam	ed in the prior application, see 37		16	16. X Nonpublication Request under 35 U.S.C. 122					
18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation-in-part (CIP) Prior application information: Examiner For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  30505  Value of Mark J. Spolyar  Law Office of Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City San Francisco State CA Zip Code 94114  Country USA  Telephone  Alto-Abo-1780  Registration No. (Attomey/Agent) 42164		(0)(2) and 1.33(b).		'`	'	ppiicant must a nt.	attach form PTO/SB/3	5		
or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation-in-part (CIP) of prior application No.:  Prior application information: Examiner Group Art Unit:  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label 30505  What J. Spolyar  Law Office of Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City San Francisco State CA Zip Code 94114  Country USA Telephone 415-826-7966 Fax 415-480-1780  Name (Print/type) Mark Japper Spolyar A Registration No. (Attomey/Agent) 42164	Application Date Short, See 27 CED 4.70									
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Prior application information: Examiner Group Art Unit:  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  X Customer Number or Bar Code Label  Address  Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City  San Francisco  State  CA  Zip Code  94114  Country  USA  Telephone  Alto-base onds label based  Registration No. (Attomey/Agent)  42164					of prior application No :					
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X Customer Number or Bar Code Label  Name  Mark J. Spolyar  Law Office of Mark J. Spolyar  Address  554 Jersey Street  City  San Francisco  State  CA  Telephone  A15-826-7966  Name (Print/type)  Mark Jappen Spolyar  Registration No. (Attomey/Agent)  42164						orporated by rete	erence. The incorporation	on <u>can</u>		
Name Mark J. Spolyar  Law Office of Mark J. Spolyar  Address 554 Jersey Street  City San Francisco State CA Zip Code 94114  Country USA Telephone 415-826-7966 Fax 415-480-1780  Name (Print/type) Mark Japper Spolyar / Registration No. (Attomey/Agent) 42164		19.	CORRESPOND	DENCE	ADDRESS					
Name         Mark J. Spolyar           Law Office of Mark J. Spolyar           Address           554 Jersey Street           City         San Francisco         State         CA         Zip Code         94114           Country         USA         Telephone         415-826-7966         Fax         415-480-1780           Name (Print/type)         Mark Japper Spolyar         Registration No. (Attomey/Agent)         42164	Customer Number of Bar Code Laber			or Correspondence address below						
Address         554 Jersey Street           City         San Francisco         State         CA         Zip Code         94114           Country         USA         Telephone         415-826-7966         Fax         415-480-1780           Name (Print/type)         Mark James Spolyar         Registration No. (Attorney/Agent)         42164	Name									
City         San Francisco         State         CA         Zip Code         94114           Country         USA         Telephone         415-826-7966         Fax         415-480-1780           Name (Print/type)         Mark James Spolyar / I         Registration No. (Attomey/Agent)         42164		Law Office of Mark J. Spolyar								
Country USA Telephone 415-826-7966 Fax 415-480-1780  Name (Print/type) Mark James Spolyar / Registration No. (Attorney/Agent) 42164	Address									
Name (Print/type) Mark James Spolyar / Registration No. (Attomey/Agent) 42164	City San Francisco				CA	Zip Code	94114			
	Country	USA	Telep	hone	415-826-7966	Fax	415-480-1780			
	Name (Print/type)	Mark Jamed Snylvar	A /	م ا	egistration No. /Atta-	mov/Acont)	12164			
	Signature	Walk Jaylyzy Syulyal	Latine .		egisuauon NO. (Allor		January 28, 2002	1		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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## FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

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Complete if Known				
Application Number				
Filing Date	1/28/2002			
First Named Inventor	Constant, et al.			
Examiner Name				
Group Art Unit				
Attomey Docket No.	6549/53673			

			ME	THOD	OF PA	YMENT					FEE	CALCULATION (continued)	
The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  Deposit Account			Fee	ADDIT Large Entity Fee	Fee	Small Entity Fee		Fac Bald					
Numb	er					U.48		Code	(\$)	Code	(\$)	Fee Description	Fee Paid
Accou Name	nt							105	130	205	65	Surcharge late filing fee or oath	
				Iditional F 1.16 and	ee Require	ed	_	127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
7			nt daim CFR 1.		entity status			139	130	139	130	Non-English specification	
2. )	_			Enclos	ed.			147	2,520	147	2,520	For filing a request for ex parte reexamination	
	_	Check		Credit C		Money Order	Other	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
			FI	EE CA	LCULA			113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
1. B	AS	C FI	LING	FEE				115	110	215	55	Extension for reply within first month	
Larg				· I Entity				116	400	216	200	Extension for reply within second month	
Fee	1	ee \$)	Fee Code	Feé	Fee De	escription	Fee Paid	117	920	217	460	Extension for reply within third month	
101	•	740	201	370	Utility fili	na foo	370.00	118	1,440	218	720	Extension for roply within fourth month	
106		330	206	165	Design f	•		128	1,960	228	980	Extension for reply within fifth month	
107		510	207	255	Plant fili	-		119	320	219	160	Notice of Appeal	
108		740	208	370		filing fee		120	320	220	160	Filing a brief in support of an appeal	
114		160	214	80		nal filing fee		121	280	221	140	Request for oral hearing	
100 211 00 1 TONOGRAM HIMING 100			138	1,510	138	1,510	Petition to institute a public use proceeding	<b></b>					
SUBTOTAL (1) (\$) 370.00			140	110	240	55	Petition to revive – unavoidable						
2. E	XTI	RA C	LAIM	<b>FEES</b>			•	141	1,280	241	640	Petition to revive – unintentional	
				Ext	ra Claims_	Fee from below	Fee Paid	142	1,280	242	640	Utility issue fee (or reissue)	
Total			33 -2	20**=	13 x	9.00	= 117.00	143	460	243	230	Design issue fee	
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					_		J (	123	50	123	50	Processing fee under 37 CFR 1.17(q)	
Large Fee Code	Fe (\$	itity e )	Fee Code	l Entity Fee (\$)		Fee Desc	ription	126	180	126	180	Submission of Information Disclosure Stmt	
10	-	18	203	9	Claims i	n excess of	20	581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
10	2	84	202	42	Indepen	dent claims	in excess of 3	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
10	4	280	204	140	Multiple o	dependent d	aim, if not paid	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
10	109 84 209 42 **Reissue independent claims over original patent			179	740	279	370	Request for Continued Examination (RCE)					
11	0	18	210	9				169	900	169	900	Request for expedited examination of a design application	
				SUBT	OTAL (2	) (\$) 15	9.00	Other t	ee (spec	cify) _			
	** or number previously paid, if greater; For Reissues, see above				*Reduc	ed by Bas	ic Filing F	ee Paid	SUBTOTAL (3) (\$) 40.00				

SUBMITTED BY					Complete (if ap	oplicable)
Name (Print/Type)	Mark James Spolyar	1 1	Registration No. (Attorney/Agent)	42164	Telephone	415-826-7966
Signature	MANL	Looluan			Date	January 28, 2002

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## NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor		Constant, et al.
Title		Based, Graphically Expressive saging System
Atty Docke	et Number	6549/53673

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/28/2002 Date

Mark James Spolyar
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**